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Home (1949) Department.

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G.O. No.	2774
Dated	6-7-49

[Despatch Abstract.

TRAFFIC in Women and Children – Draft International Convention for suppressing the promotion of prostitution.

HOME DEPARTMENT.

LETTER Ms.No. 2774, dated 6-7-1949.

To

The Secretary to the Government of India,
Ministry of Home Affairs,
New Delhi.

Sir,

Sub: Traffic in Women and Children - Draft International Convention for suppressing the promotion of prostitution.

Ref: Raman's letter No.83/18/47, Public, dated 20/21 March 1948.

In their letter cited, the Government of India have asked for a statement of the actual position in this Province touching the several provisions of the Draft International Convention for suppressing the Promotion of Prostitution and for an expression of their views of this Government.

2. I am directed to say that the Madras Suppression of Immoral Traffic Act, 1930 which is in force in this Province contains provisions covering most of the articles in the Draft International Convention for the suppression and punishment of the promotion of prostitution. The act provides for the punishment of any person.

(a) who keeps or manages or acts or assists in the management of a brothel, which is defined as any house, room or place, which the occupier or person in charge thereof habitually allows to be used by any other person for the purpose of prostitution;

(b) who knowingly permits any premises in his possession or any part thereof to be used as a brothel;

(c) who being the lesser or landlord of any premises or the agent of such lesser or landlord lets the same or any part thereof to any person convicted for offences mentioned in clauses (a) and (b) above with the knowledge that such premises or some part thereof are or is to be used as a brothel;

(d) who not being below the age of 18 years knowingly lives wholly or in part on the earnings of the prostitution of another person;

(e) who is proved to be living with, or to be habitually in the company of, a person living in prostitution or to have exercised control, direction or influence over the movements of a person living in prostitution;

(f) who takes or attempts to take or causes to be taken from one place to another any woman or girl with a view to her carrying on prostitution;

(g) who detains any woman or girl against her will for the purpose of prostitution;

(h) who induces a woman or girl to go from any place in order to make her live in or frequent a brothel, or

(i) who solicits another for the purpose of prostitution.

The Act also provides for the rescue of girls under the age of 18 from any brothel.

p.t.o.

The Madras Act thus anticipates the present Draft International Convention in certain respects, while it goes a step further in certain other respects; e.g., Section 8(A) (Punishment for living on the earnings of prostitution) of the Act which penalises third parties profiting by the prostitution of others, does not exempt dependants and relatives of prostitutes from punishment - cp. Article 1 of the Draft Convention and Section 12 (A) (Solicitation for purposes of prostitution) gives power to magistrates to commit all women below 30 years of age, found soliciting in streets or public places, to a Vigilance Home for detention, instead of to a prison-C.p. Article 4 of the Draft Convention. Against Section 6 gives power to the police to rescue minor girls below 18 years of age used for prostitution in brothels and of further comittal to a rescue home.

3. The Vigilance work under the Act was carried on by a non-official agency (Madras Vigilance Association) till about April 1948 when this Government provincialised the Vigilance Service and took over the entire responsibility of conducting the vigilance work.

4. As regards the articles in the Draft Convention, I am to say that this Government generally agree with them subject to the following remarks: Article 17 of the Draft Convention provides for the establishment of a specialized Social Service for the prevention of prostitution and rehabilitation of prostitutes and for the employment of special woman police. The question of forming a separate section of women police in this Province was considered more than once by this Government but it was decided to defer the proposals. The inmates of the Stri Sadana Training Home and Shelter and Vigilance Home, Madras established under the Act are taught various trades and trained to lead an honest life on discharge. In both the Homes, ample provision has been made for free medical treatment of the inmates' suffering from venereal disease.

5. This Government suggests in this connection that a hierarchy of trained and paid workers in the campaign against prostitution is absolutely necessary and that a provision may be usefully included in the Draft Convention for starting Institutes in all the importance countries for training Special social workers in this important field of work.

Yours faithfully,

Sd.x x x
Secy. to Government.

Copy to the Chief Inspector of Certified Schools, Madras with reference to his letter No. 8.A.2-49-14, dt. 19-4-49.
Copy to the Inspector General of Police, Madras with reference to his letter No.Foc.No.391-A/Statl./49,dt. 2-4-1949.
Copy to the Commissioner of Police, Madras with reference to his letter No. Rc. 7406/E4/49,dated 24-3-1949.

/True copy/

Superintendent,
Madras Record Office.

PSR. 30-6-53.

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